

SEP 06 2006  
OPIE IAP78  
NATION (RCE)  
active on 11/29/2000,

Provides for continued examination of a utility or plant

**Application filed on or after June 8, 1995.**

**See The American Inventors Protection Act of 1999 (AIPA)**

**Application Number:** 10/817,179  
**Filing Date:** 02 April 2004  
**First Named Inventor:** Clevenger  
**Group Art Unit:** 2818  
**Examiner Name:** T. P. Le  
**Attorney Docket Number:** YOR920010518US1  
**CUSTOMER NO.:** 27,623

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
- a. \_\_\_\_\_ Previously submitted
- i. \_\_\_\_\_ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_ (any unentered amendment(s) referred to above will be entered).
- ii. \_\_\_\_\_ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. \_\_\_\_\_ Other \_\_\_\_\_
- b. **XXXXX** Enclosed
- i. \_\_\_\_\_ Amendment/Reply with transmittal
- ii. \_\_\_\_\_ Affidavit(s)/Declaration(s)
- iii. **XXXXX** Information Disclosure Statement (IDS) and PTO-1449
- iv. \_\_\_\_\_ Other \_\_\_\_\_
2. **Miscellaneous**
- a. \_\_\_\_\_ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. \_\_\_\_\_ Other \_\_\_\_\_
3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
- a. **XXXXX** The Director is hereby authorized to charge the amount of **\$790.00** or credit any overpayments to Deposit Account No. **50-0510**.
- i. **XXXXX** RCE fee (\$790.00) required under 37 C.F.R. §1.17(e)
- ii. \_\_\_\_\_ Extension of Time fee (\$0.00) (37 C.F.R. §§ 1.136 and 1.17)
- iii. **XXXXX** Other Petition for Revival of Application
- b. \_\_\_\_\_ Check in the amount of \$ **0.00** enclosed
- c. \_\_\_\_\_ Payment by credit card (Form PTO-2038, enclosed)

August 31, 2006  
Date of Signature

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## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EV803119213US**, service under 37 CFR §1.10 and is addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: Office of Petitions on September 6, 2006.

Ruth J. Olivo  
NAME

SIGNATURE

September 6, 2006  
DATE